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ABSTRACT

To assist Iowa school boards and administrators in handling student records, this revision of a 1976 publication presents model policies and rules for compliance with the federal Family Educational Rights and Privacy Act of 1974 and the Education for All Handicapped Children Act. Included in this guide are a model statement of school board policy on student records and a model statement of board rules that covers 22 areas, from the definition of student records to data collection, administrative responsibilities, and notification of parents and students of their rights. Model forms are provided for notifying the public regarding student records rights, recording reviews and inspections of student records, requesting records, notifying parents or guardians of the transfer of records, and requesting the release of student records to a third party. A concluding 27-point checklist helps boards determine whether they are in compliance with student records laws. (RW)

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"Educators' Responsibilities for Student Records"

ED217537

formerly

"Family Educational Rights

And Privacy Act of 1974"

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A

Model Policy

and

Rules

(Revised)

EA 014 664

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February 1981

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MODEL POLICY AND RULES FOR ASSISTANCE TO LOCAL BOARDS IN THEIR COMPLIANCE WITH THE "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974" AND THE "EDUCATION OF ALL HANDICAPPED CHILDREN ACT"

(Revised February, 1981)

IMPORTANT: THIS IS A MODEL ONLY

Do not accept any portion of this model as local policy or rules until after full and sufficient consideration. It is always wise to have proposed local policies and regulations reviewed by legal counsel.

Des Moines, Iowa
February, 1981

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Dear Colleague:

Most of you are familiar with the model policy developed by Department staff members entitled the "Family Educational Rights and Privacy Act of 1974," revised in 1976.

As we enter the '80s, and find ever increasing requirements placed upon the school staff in individual buildings, the Department of Public Instruction is committed to providing you with model policies and procedures to make your job easier.

This model policy, renamed "Educators' Responsibilities for Student Records," has incorporated requirements for handicapped students from the Education for All Handicapped Children Act with the Family Rights and Privacy Act requirements. Additions and modifications to the original policy are marked with an asterisk in the left column. Also for your reference, a compliance checklist has been added and is located at the back of the model policy. Your district, your individual building, or AEA can use this list to determine areas which still need attention.

We hope this model policy will be helpful as you carry out this important aspect of educational documentation.

Sincerely yours,

Robert D. Benton

Robert D. Benton, Ed.D.
State Superintendent of Public Instruction

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MODEL POLICY AND RULES CONCERNING IDENTIFICATION, MAINTENANCE AND DISSEMINATION OF STUDENT PERSONNEL RECORD DATA

Student records are an essential part of the educational process. To serve this end, information about students which is required by law, or which is considered necessary in accomplishing the educational goals and objectives established by the school district and its sub-units, should be collected and maintained under the supervision of the professional and nonprofessional certificated staff.

Collection, dissemination and retention of all student information should be controlled by procedures designed to implement the primary task of the district and its sub-units, while protecting individual rights in the best interest of the students and preserving the confidential nature of the various types of records.

The intent of rules concerning student records is to establish policy and procedures, to protect the rights of the individual, and to emphasize the concept of free flow of information between parents, student, and school.

It is of the utmost importance that a delineation be made between "policy" and "rules." Policy is that general statement of direction given by the board of directors to all concerned. Rule is that procedure developed by the school administration by which the policy is to be carried out. Rules detail the application of policy to specific circumstances.

Model Statement of Policy

While the policy may actually have been determined by Congress, it would be appropriate for school boards to consider formal approval of language similar to the following:

> An accurate record shall be maintained for all students (including preschool handicapped students), attending the _____ School District. Records of a student shall be reasonably accessible to the student if 18 years of age or older, or to parents of that student. Student records shall remain confidential.

Model Statement of Rules

I. Purpose of Student Records

Student records are collected and maintained to facilitate the instruction, guidance, and educational progress of the student and for legitimate research.

II. Definition of Student Record

A student record means anything for others to see or hear concerning the instruction, guidance and educational progress of a student which is maintained in any medium including, but not limited to, writing, print, film or tape.

A student record is distinguishable from personal, professional and working notes in that the latter two are intended for use by the collector only. Such notes do not become a student record until they are made available to another person other than the student or a substitute. Such sharing other than with a substitute on a need-to-know basis automatically makes the notes a student record, subject to the policies and rules governing student records. A substitute shall mean a person who is replacing that certificated school employee who is the originator of the notes and who is absent from assigned responsibilities.

III. Age of Consent

When a student reaches age 18 or is attending an institution of post-secondary education, the permission or consent required of and rights given to parents shall be required of and granted only to the student. This shall not affect the rights of parents of dependent children to have access to the student's educational records.

Reference is made to the rights afforded the parents of students. It should be understood that for the purpose of these rules, the term parent means either natural parent, legal guardian, or an individual acting as a parent in the absence of a parent or guardian.

It will be presumed that either parent may exercise the rights granted parents under these rules unless documentary legal evidence shows that a parent has been expressly precluded from exercising parental rights.

In the event that the student is institutionalized, the rights afforded to parents under these rules shall be granted to the designated guardian or custodian of the child.

IV. Right to Challenge and Hearing Procedure

Parents shall have an opportunity for a hearing to challenge the contents of their child's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

A parent wishing to challenge the content of the student's school record shall make written application to the building principal. Within ten days or at a time mutually agreed to, an informal hearing shall be held to determine the validity of the challenge. The parent of the student shall be given reasonable notice of the time, place and date of the hearing. The hearing panel shall consist of an equal number each of certificated guidance personnel, teachers and administrators (excluding the Superintendent). The panel shall hear evidence relevant to the matter including representatives of appropriate

professional disciplines. Challenging parties shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted by persons of their choice at their own expense. The decision may include any educationally reasonable action with regard to the challenged portion of the education record and may include alteration and deletion. Grades may be challenged only on the basis of accuracy in recording and not on the basis of evaluation of performance. A written decision shall be rendered as soon as possible and included in the record, but in no case more than five school days after the hearing. The decision shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. Should the parent be dissatisfied with the decision of the panel, the parent may, within ten days, request a review by the Superintendent. The Superintendent shall, within ten days of the request for the review, either sustain, modify, or overrule the decision of the panel. Persons challenging the content of student records shall be informed of the right to place a written response in the record. No person with a direct interest in the outcome, or responsible for placing the challenged information in the record, may participate in the rendering of a decision. Should the Superintendent have a personal interest in the outcome or if the Superintendent was originally responsible for placing the challenged information in the record, the Board of Directors shall designate a Superintendent of another district or an area education agency administrator to review the decision.

(Comment: This procedure represents only one of several alternatives for consideration.)

This section is not to preclude informal settlement of disputes over student records and their content when the challenging party and the school arrive at a mutually satisfactory agreement.

V. Right to Respond

The parent shall have the right to respond in writing to any information in the record and have the response become a part of the record. Such responses shall be disclosed to a party whenever the challenged or objectionable material is disclosed to that party.

VI. Collection of Data

* Surveys or similar data gathering activities shall conform to the appropriate regulations promulgated by the Department of Education.

VII. Directory Information

The principal of each attendance center may release the following types of information to the public as the principal sees fit, keeping in mind the privacy of the student and the student's family and the totality of the surrounding circumstances: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of

members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school or institution attended by the student and other similar information.

(Comment: Delete inappropriate items as desired. This section is valid only when used in conjunction with Section XV.)

This section shall not allow the release of any of the above information to which a parent has filed an objection in writing. When a parent so objects, the student records shall be clearly distinguished and identified as to what types of information are not to be released regarding that student.

VIII. Classification and Maintenance of Data

For the purpose of security and access, student data should be classified. The recommended classifications of information about students collected and maintained by school personnel are categorized as follows:

A. Category I - Permanent Records

Official permanent records constitute personal data necessary for operation of the school system, and important for student needs.

1. Identification data, e.g., name, sex, birthdate, address, parents' name and address, telephone number.

2. Race or ethnicity (as stated by the student, and if requested for statistical purposes).

3. Attendance data.

4. Record of achievement, e.g., grade level completed.

5. Date of graduation.

6. Follow-up information after graduation.

Maintenance of Permanent Records

Category I - Permanent Records shall be maintained in perpetuity. Updating is to be done as changes occur. For the purpose of security, identical duplicate data shall be maintained in secure files in separate locations.

B. Category II - Cumulative Records

This classification includes information of importance in helping the student and protecting others. The information contained in

this category is not absolutely necessary to the operation of the school system, but is of a more sensitive nature and of less historical importance. These cumulative records shall include general and observational data.

1. General Data

   a. Health information.
   b. Family background data.
   c. Standardized aptitude tests.
   d. Standardized intelligence scores.
   e. Vocational interest inventory.
   f. Educational and vocational plans.
   g. Honors and activities.

2. Observational Data

   a. Objective counselor or teacher ratings.
   b. Reading reports.
   c. Discipline data.
   d. Reports of support services.

Maintenance of Cumulative Records

Category II - Cumulative Records shall be kept objective, factual and devoid of value judgments. Care is to be exercised to insure the accuracy of data. Reported behavior pattern and specific incidents are to be unambiguously described and clearly verified prior to becoming a part of any record. Information may not be placed in a student record which does not have relevance to the education of that student. School personnel should be aware that what they write for the record about a student, in any and all contexts, may be shared with the student or parent.

The data classified as Category II - Cumulative Records shall be reviewed periodically and at a minimum when a student moves from elementary school to middle school/junior high school and from middle school/junior high school to senior high school, and when the student transfers out of the district. No more than three years after a student graduates or is permanently dropped from school, Category II - Cumulative Records should be destroyed and selected data that may have permanent usefulness should be transferred to the permanent record.

C. Dissemination of Permanent and Cumulative Records

Written consent for dissemination shall be signed by the parent and dated and shall include a specification of the records to be released, the reasons for such release and names of the party or class of parties to whom such records may be released.

Dissemination of Permanent and Cumulative Records and the information contained therein may be made to only the following without prior written consent, subpoena or court order and then only under the terms specified:

1. Certificated school staff employed by the district, clerical personnel responsible for the custody and keeping of the record, and certificated staff of the area education agency serving students in the district, who have a legitimate educational interest and other persons on the staff who have been determined by the superintendent, principal or person in charge of the attendance center to have a legitimate educational interest.

2. The Board of Directors sitting as a whole when deciding matters regarding individual students.

3. Officials of other schools or school systems in which the student seeks or intends to enroll, upon the condition that the student's parents be notified of the transfer, and have the opportunity to request a copy of the record at a reasonable cost if desired, and to challenge the content of the record in accordance with Section IV.

   The education records of a nonpublic school student enrolled in courses or receiving services from this school district may be shared with the certificated staff of the nonpublic school in which the student is also enrolled, provided that the parents of the student are notified.

4. Authorized representatives of Federal and State educational authorities auditing and evaluating Federally supported educational programs.

5. Financial Aid officials in connection with a student's application for, or receipt of educational financial aid and only that information which is necessary for the receipt of such aid.

6. State and local officials or authorities to which information is required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

7. Organizations conducting studies in this school district for the purpose of developing, validating, or administering predictive tests, organizations administering student aid programs or organizations conducting studies for the improvement of instruction.

   Such studies shall be conducted in a manner which will not permit the personal identification of students and their parents by persons other than representatives of such

organizations and destruction of such information shall be required when no longer needed for the purpose for which they were conducted.

8. Accrediting organizations in order to carry out their functions.

9. Parents of a dependent student as defined in the Internal Revenue Code of 1954. It shall be presumed that a student is dependent of his or her parents until such time as substantial proof to the contrary is shown. Anyone alleging facts to the contrary shall be given up to 15 days to produce substantial evidence of the fact during which time access shall not be granted.

10. Appropriate persons in the event of an emergency if such information is necessary to protect the health or safety of a student or other persons. Whether a true emergency exists will be determined by the seriousness of the threat, the need for the information to meet the emergency, the ability of the person to whom information is released to deal with the situation, and the extent to which time is essential.

D. Category III - Tentative Records

This section has been eliminated.

IX. Personal Professional Working Notes

Data of this category shall consist of those data maintained in confidential personal notes of professionals in the school. (Example: teachers, school psychologists, school counselor, school nurses) These data shall be maintained only so long as they are useful to the professionals in contact with the student. These data are not subject to required release to parents or their legal representatives except in compliance with judicial order, or orders of administrative agencies where those agencies have the power of subpoena.

(Comment: In interpretation of this section, refer back to Section II, Definition of Student Record.)

X. Computerized Data Banks

Computerized data banks pose special problems of maintenance, security, and access. Procedures developed for dealing with computerized data banks shall be in accord with the following principles:

A. There must be no personal data record keeping system whose very existence is secret.

B. There must be a way for a student to find out what information about the student is in a record and how it is used.

C. There must be a way for a student to prevent information about the student that was obtained for one purpose from being used or made available for other purposes without the student's consent.

D. There must be a way for a student to correct or amend a record of identifiable information about the student.

E. Any organization creating, maintaining, using or disseminating records of identifiable personal data must assure the reliability of the data for their intended use and must take precautions to prevent misuse of the data.

(Comment: The above rules should be considered for adoption by districts utilizing computerized data banks.)

XI. Administrative Responsibility for Student Records

A. The superintendent or the superintendent's designee shall be the custodian of all student records maintained at the district level. Even though the superintendent designates someone to be custodian of all student records at the district level, the superintendent shall remain primarily responsible for all student records.

B. The principal or his designee shall be the custodian of all student records at the building level. Even though the principal designated someone to be custodian of all records at the building level, the principal shall remain primarily responsible for all student records.

C. The principal shall make maximum provision for protection of student records from review by unauthorized personnel and for maximum physical security of such student records.

D. The principal or a designee is responsible for classifying student records and maintaining them so that each student record can clearly be identified by classification, for reviewing the files and deleting cumulative and tentative student records when necessary, and for granting or denying access to student records on the basis of the policies or procedures set forth in this document.

E. The principal shall ensure that the school staff under the principal's jurisdiction receives periodic instructions and training regarding the privacy rights of students and parents. The procedure for collection, maintenance, accessibility, dissemination, and retention of student information shall be reviewed periodically for the staff by the principal.

F. Each attendance center shall maintain, for public inspection, a current listing of the names and positions of those employees in the school who routinely have access to personally identifiable information.

XII. Maintaining Log or Record of Request for Information

There shall be maintained as part of the records filed a card which shall be kept permanently with the file of the student for inspection by the parents. That card shall indicate the legitimate educational or other interest that each person, agency, or organization has in seeking information. Certificated school staff employed by the district and clerical personnel responsible for the custody and keeping of the record do not need to record their own access to student records unless such access is pursuant to a request for information from a person not on the school staff or for other than legitimate educational interests.

The card shall state the name, date, and purpose of the use of the file, and must be made available to parents and to the school official responsible for record maintenance as a means of auditing the operation of the record-keeping system. In no case shall the log be accessible to anyone other than the parent or the official and his assistants responsible for student records.

The log is not required to show disclosures obtained through written consent when the party receiving the record was specifically named in the consent form or for disclosures of directory information. Consent forms shall be kept as part of the student's record.

XIII. Types of Requests for Student Information

A. Telephone Requests

Requests for information via the telephone, except directory information, shall not be honored when information requested must be obtained from student records.

B. Written Requests

Written requests for information may be honored under the following conditions:

1. The inquirer is properly identified.
2. The purpose of the request is clearly stated.
3. The type of information required is expressly stated.
4. Prior written consent is given by the parent except in instances exempt under the provisions of Section VIII - C.

C. Personal Visit Requests for Information

Upon presentation of proper identification, a request for information via personal visit shall be honored under the following conditions:

1. The inquirer is properly identified.
2. The purpose of the request is clearly stated.

3. The type of information required is exactly stated.
4. Prior written consent is given by the parent except in instances exempt under the provisions of Section VIII - C.
5. A professional staff member shall be present during the entire in-person visit and be available to interpret the data to the visitor.
6. A record of the visit shall be made.

XIV. Sources of Requests for Information

A. Parent, Student, Former Student or Parent of Former Student Under Age 18

1. A student's parent or designated representative shall have access to educational records by scheduled appointments.

2. A counselor or other school official competent in interpreting student records must be present to explain the records that are examined.

3. The following exception shall be made to the principle of parent consent with respect to a student's age and his legal rights: A parent of a student or former student shall have access to the student's records as long as the child is a dependent. It shall be presumed, until sufficient showing to the contrary, that a student attending school in this district is a dependent of his or her parents.

4. Parents shall be granted the opportunity to copy student records at a reasonable cost, not to exceed the actual cost of reproduction.

B. Family Members Other Than Parents

Requests for information contained in the student's record shall not be honored when made by a student's relative or immediate family members other than parents, whether the request is made in writing or in person. The release of information to those persons can be made only with the consent of the parents.

C. Certified School Staff

Only certificated school personnel who have a proper educational purpose shall have access to student records. Staff members shall respect and observe the importance of the student record. The utmost personal and professional responsibility is required in the uses to which they put their special knowledge about a student.

D. Noncertificated School Staff

Noncertificated school staff will have access to student records only in the routine performance of duty under supervision of a certificated person. They will not evaluate or interpret school records.

E. Board of Education

Requests for information from the Board of Education as a whole may be honored under the safeguards established for staff requests.

F. Court, Agency or Institution

All information released to a court, agency or institution should be directed to a specifically named representative therefrom. Requests for information originating from any federal, state, county or local agency having any legitimate interest in the student's record and exercising the power of judicial order or subpoena may be processed according to these regulations so long as the use is consistent with their statutory powers or responsibility.

A reasonable effort shall be made to give notice of the receipt of the order or subpoena to the student's parents prior to compliance.

G. Other

No other person may have access to any data in a student's records except under one of the following circumstances:

1. When proper written consent of the access of such records has been obtained.

   a. The consent must be given by the student's parent. However, when a student reaches the age of 18 years, his or her consent and not that of the parents must be obtained for access of the information.

   b. The written consent must specify the records to be accessible and to whom they are to be accessible. Each request for consent must be handled separately. Blanket permission for the access of the information shall not be honored.

2. When data for outside research purposes are obtained in such a manner that no individual student is identifiable.

3. When an exception under Section VIII - C.

XV. Notice to Students and Parents - Directory Information

The student handbook or similar publication given each student containing general information about the school shall contain the following statement which shall also be published at least annually in a prominent place in a newspaper of general circulation in the school district.

> The following information may be released to the public in regard to any individual student of the school district as necessity or desirability arises. Any student, parent or guardian not wanting this information released to the public must make objection in writing to the principal or other person in charge of the school which the student is attending. It is desirable to renew this objection at the beginning of each school year.
>
> > NAME, ADDRESS, TELEPHONE LISTING, DATE AND PLACE OF BIRTH, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT AND OTHER SIMILAR INFORMATION.

XVI. Nonpublic School Students Enrolled in Public School Offerings

The public school records of a nonpublic school student attending the public schools shall be available to the parents of that student to the extent that student is in attendance in schools belonging to this district.

The education records of a nonpublic school student enrolled in courses or receiving services from this school district may be shared with the certificated staff of the nonpublic school in which the student is also enrolled, provided that the parents of the student are notified.

XVII. Minor Students

All students under age 18 shall have reasonable access to their records. The withholding of any material from the minor student must be educationally justifiable or a result of parental request. These records may also be utilized in counseling minor students.

XVIII. Third Party Permission Release

Except for the release of directory information, every time confidential information regarding a student is released to other than the student, parent or local school personnel, it shall be accompanied by a letter indicating the confidentiality of the material and the necessity for obtaining written consent prior to release of any information by the third party.

XIX. Notice of Rights

The school administration shall cause to be published, at least annually, in a newspaper of general circulation in the district and in appropriate school publications, notification of the rights accorded students and parents under school rules governing student records. Notice shall be sent individually in the language of the parent, or student over the age of 18, if a language other than English is necessary to communicate notice.

(Comment: See Model Form of Notification, page 14.)

XX. Publication of Policy and Rules

The school district shall publish and make available to interested persons upon request at each attendance center copies of policies and rules pertaining to the maintenance of student records.

XXI. The Right to Withhold Information

In the course of processing a request for information, a reasonable doubt on any aspect of the request or concern about the authorization to process the request shall be deemed sufficient reason for the staff member to act in a prudent manner and to withhold all or part of the information until such time as the question is resolved. The school shall comply with a request for information before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 days after the request has been made.

XXII. Destruction of Information for Handicapped Students

The school administration shall inform parents of handicapped children or handicapped students over 18 years of age when personally identifiable information is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address and phone number, his or her grades, attendance record, or classes attended, grade level completed, and year completed shall be maintained without time limitation.

FORM I

MODEL FORM FOR NOTIFICATION

The _____School District maintains records on each student in order to facilitate the instruction, guidance and educational progress of the student. The records contain information about the student and his or her education and may include but are not limited to the following types of records: identification data, attendance data, record of achievement, family background data, aptitude tests, educational and vocational plans, honors and activities, discipline data, objective counselor or teacher ratings and observations, and external agency reports.

The records of each student are generally located in the school which he or she is attending. Any exception will be noted in the student's other records or by the person in charge of record maintenance for each school building. The name and position of the person responsible for maintenance of student records for each school building is listed below.

SCHOOL	NAME	POSITION

The following persons, agencies and organizations may have restricted access to student records without prior written consent of the parent or student over the age of 18 years. Any other access to student records shall be only upon written consent or upon court order or legally issued subpoena.

A. School officials, teachers and AEA personnel with a legitimate educational interest.
B. Officials of other schools in which the student proposes to enroll.
C. Representatives of state and local government when auditing and evaluating Federal education programs.
D. Officials connected with a student's educational financial aid applications.
E. Governmental officials to which information is to be reported under state law adopted prior to November 19, 1974.
F. Organizations which process and evaluate standardized tests.
G. Accrediting organizations for accrediting purposes.
H. Parents of dependent children, regardless of child's age.
I. Appropriate parties in a health or safety emergency.

Student records are reviewed and inappropriate material removed periodically and, at a minimum, whenever a student moves from the elementary level to middle school level to high school level and when a student transfers out of the district. Those records not of permanent importance are destroyed within three years of graduation or discontinued attendance.

* The parents of handicapped students, or handicapped students over age 18, will be informed when personally identifiable information in the records is no longer needed to provide educational services, and before the information is destroyed.

Parents of students under age 18 and students over age 18 may exercise the opportunity to review educational records of the student, to obtain copies of the records, to write a response to material in the record, to challenge the content of the record on grounds of inappropriateness, inaccuracy or an invasion of privacy, and to have the records explained.

The procedure to be followed in exercising any of the rights under school policies or rules may be obtained from any of the aforementioned persons responsible for maintaining student records. [IMPORTANT: This is an abbreviated form of notice and will not likely be sufficient if Section XX is not retained as part of the adopted rules.]

The principal or person in charge of each attendance center may release the following types of information to the public, where appropriate, keeping in mind the privacy of the student and the student's family and the totality of the surrounding circumstances: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school of institution attended by the student and other similar information. [Delete inappropriate items.]

To prevent the public release of such information, a parent must file a written objection with the aforementioned person responsible for maintaining student records.

Students and parents may file with the Department of Education, complaints concerning alleged failures of the school district to comply with federal legislation dealing with student records. Correspondence should be addressed to: The Family Educational Rights and Privacy Act Office, Department of Education, Switzer Building, 330 C. Street S. W., Washington, D. C. 20201

FORM II

CUMULATIVE RECORD REVIEW LOG

* This log is not to be viewed by anyone other than parent or person and assistants responsible for records. This log should be kept with, but not become a part of, each student's record.

NAME	DATE	REASON OF REVIEW

FORM III
RECORD REQUEST FORM

STUDENT'S NAME _____ GRADE ___

DATE _____ ATTENDANCE CENTER _____

REASON FOR RELEASE _____

_____

_____

PLEASE FORWARD MY CHILD'S RECORDS TO:

_____

_____

_____

_____

I HAVE HAD THE OPPORTUNITY TO REVIEW MY CHILD'S RECORDS AND GIVE MY PERMISSION FOR RECORD RELEASE.

PARENT(S) OR GUARDIAN(S) SIGNATURE _____

ADDRESS _____

_____

DATE _____

FORM IV
(School Letterhead)

NOTIFICATION OF TRANSFER OF PUPIL RECORD TO ANOTHER SCHOOL SYSTEM OR POST SECONDARY INSTITUTION

DEAR PARENT:

YOU ARE HEREBY NOTIFIED OF THE PENDING TRANSFER OF _____ (Pupil's Name) SCHOOL RECORD TO _____ (Name of School)

IN _____ (Location).

SHOULD YOU WISH TO RECEIVE A COPY OF THE RECORD TO BE TRANSFERRED, PLEASE RETURN THE BOTTOM PORTION OF THIS FORM WITH YOUR SIGNATURE BY _____ (Date)

THE COST OF COPY IS _____ PER PAGE.

SINCERELY,

_____
Principal

- -

I WISH TO RECEIVE A COPY OF THE SCHOOL RECORD OF _____ (Please Print Name of Pupil) WHO IS MY (SON) (DAUGHTER) (LEGAL WARD).

SPECIFY INFORMATION REQUESTED _____.

THE COST OF COPY IS _____ PER PAGE.

SIGNATURE: _____ _____ DATE _____

ADDRESS TO WHICH RECORD SHOULD BE SENT:

_____

_____

_____

_____

FORM V
(School Letterhead)

REQUEST FOR PERMISSION TO RELEASE PERMANENT
SCHOOL RECORD TO THIRD PARTY

DEAR PARENT:

WE HAVE RECEIVED A REQUEST FROM _____
(Name of requesting person, agency, etc.)

FOR A COPY OF (access to) THE RECORDS OF _____
(Name of Pupil)

PLEASE INDICATE IN THE SPACE BELOW WHETHER YOU ARE WILLING FOR US TO COMPLY WITH THIS REQUEST
~~WITH THIS REQUEST~~.

- -

_____ MAY HAVE A COPY OF (access to) THE
(Name of Requesting Party)

FOLLOWING PARTS OF _____ RECORD:
(Name of Pupil)

_____ OFFICIAL ADMINISTRATIVE RECORD (name, address, birthdate, grade level completed, grades, class standing, attendance)

_____ STANDARDIZED ACHIEVEMENT TEST SCORES

_____ INTELLIGENCE TEST SCORES

_____ APTITUDE AND INTEREST TEST SCORES

_____ PERSONALITY TEST SCORES

_____ TEACHER AND COUNSELOR OBSERVATIONS AND RATINGS

_____ RECORD OF EXTRACURRICULAR ACTIVITIES

_____ FAMILY BACKGROUND DATA

_____ STUDENT HEALTH DATA

_____ OTHER (PLEASE SPECIFY) _____

PARENTS SIGNATURE: _____ DATE _____

FORM VI

RECORD OF INSPECTION OF PUPIL RECORDS

DATE: _____

RECORDS EXAMINED: _____
(Name of Pupil or Pupils)

RECORDS EXAMINED BY: _____
(Name)

PURPOSE: _____

_____

_____

* RECORDS CHECKLIST

To be in compliance with the Family Educational Rights and Privacy Act and the Education for All Handicapped Children Act, each one of these components should be in place.

YES	NO	
___	___	A policy adopted to inform parents of students or eligible students (18 years or older) of their rights relating to records.
___	___	Annual notice to parents, by such means as are reasonably likely to inform them (and in their home language) of their rights, the school records policy, location of where copies of the policy can be obtained, and their rights to file complaints.
___	___	A procedure for permitting parents (or students 18 and over) to inspect and review educational records.
___	___	A procedure which allows this review without unnecessary delay and before any IEP meeting or hearing, and in no case more than 45 days after the request.
___	___	A procedure which allows parents to inspect and review information relating to their child only.
___	___	A procedure to provide copies of records to the parent(s).
___	___	A procedure to allow the parents' representative to inspect and review records.
___	___	A record of access is kept with, but not part of, each student's record.
___	___	Only the record custodian, parent of student, student over 18, or federal, state or local officials with legitimate educational interest view the record of access.
___	___	The record of access contains the name of person reviewing, date access given, and purpose.
___	___	Maintain a list of types and locations of information collected, maintained or used.
___	___	A schedule of fees for copies, at parent request. (No fees may be charged to search or retrieve information.)
___	___	A procedure to review records at parents' request if the parent believes the information is inaccurate, misleading, or violates the privacy or other rights of the child.
___	___	A procedure which would provide explanations and interpretations of records to parents (or students over 18).

YES	NO	
___	___	A procedure to decide whether to amend records, within a reasonable time.
___	___	A procedure to advise the parent of the right to a hearing if the agency refuses to amend the record.
___	___	A procedure to hold a local hearing if parents wish to challenge information in the records.
___	___	A procedure to amend records if they are found to be inaccurate, misleading, etc., as a result of the hearing.
___	___	A procedure whereby parents can place statements of disagreement in the records if the district or AEA decides the information is not inaccurate.
___	___	A procedure to obtain parent permission before records are disclosed (except to other school officials with a legitimate educational interest, to another school where the student intends to enroll, to state and federal officials, to comply with a judicial order, to appropriate parties in a health or safety emergency, and others as set forth in §99.31 "Family Educational Rights and Privacy Act").
___	___	One official who assumes responsibility for the confidentiality of records.
___	___	Training related to records policies and procedures for all persons collecting and using information.
___	___	A current listing on file for public inspection of names and positions of persons having access.
___	___	A procedure to inform parents of handicapped students when information is no longer needed to provide educational services.
___	___	A process to destroy information at parents' request.
___	___	Policies related to all of the above procedures.
___	___	Copies of policies available upon request to parents of students and to eligible students.